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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,834	11/29/2001	Bruce A. Makinen	10011294-1	4619

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EXAMINER

BAYERL, RAYMOND J

ART UNIT PAPER NUMBER

2173

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/997,834	Applicant(s) MAKINEN, BRUCE A.	
	Examiner Raymond J. Bayerl	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 - 14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The form and legal phraseology often used in patent claims, such as "comprises" (line 4) should be avoided. It should avoid using phrases which can be implied, such as, "are provided" (line 2).

2.a. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "204" has been used to designate both "standard application services" and "dedicated help services" (fig 2; see page 7).

2.b. The drawings are also objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "206" (fig 2; page 7, paragraph 1).

Appropriate correction to the drawings is required; the objection to the drawings will not be held in abeyance.

3. The disclosure is objected to because reference numeral "118" is used where "112" should have been, in referring to "network interface device(s)" (page 9, paragraph 2; see fig 1). Also, at page 12, paragraph 3, "decision block 308" incorrectly refers to item 306, fig 3.

Appropriate correction is required.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1 – 3, 5 – 7, 9, 11 – 12, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Moore (“Moore”; US #5,877,961).

Moore’s ELECTRONIC SUPPORT WORK STATION teaches each and every feature appearing in the above-referenced claims. Moore is directed to an electronic work station with a display screen and pointing device (Abstract), and discloses “a graphical user interface-based computer application” in which an operator performs an operation on a workpiece. Significantly, and as per independent claims 1, 6, 11 (claim 1 quoted as exemplary), Moore’s menu-based display screen allows an operator to select any one of several different images of the workpiece, using “hot spot” areas of the displayed image. These read directly upon “providing a first display portion for providing standard application services”. The “second display portion for providing dedicated help services based on the standard application services” is then taught by the display of information relating to the workpiece corresponding to the selected graphic that will assist the operator in performing a particular support operation on the workpiece. Please see also Moore, fig 6, col 13, line 51 - col 14, line 27.

Clearly, to use Moore, “initiating the computer application” must occur, as in claim 2. Also, it has been previously noted that a display screen and pointing device are used in Moore, as in the “cursor manipulated by a mouse” in claims 3, 7, 12.

Further in Moore, the hotspot labeled 3 in Moore’s fig 6 is “a model of a printed circuit board having at least one component soldered to the printed circuit board via at least one pin” (claims 5, 9, 14): the “dedicated help services”

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rendered in this case include Check for leaking capacitors and cracked insulation. Also, check for cold solder joints on power.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, 8, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of Walden et al. ("Walden"; US #6,456,303 B1).

As per these claims, the Moore interface is not **explicitly** shown as involving a "second display portion" that is "displayed using hypertext markup language (HTML)". However, the ACCESS OF ONLINE INFORMATION in Walden specifically occurs using a HTML window pane that is selected via a topic in the navigational window pane (Abstract). Thus, Walden analogously discloses a two-"portion" display in which HTML is employed for the secondary "portion".

It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to make use of the HTML format taught in Walden to supply the secondary information of Moore, with the motivation being to increase the versatility of the interface through this platform-independent approach.

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of applicant's admitted prior art, as found within the specification.

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As per using "an automatic x-ray inspection system configured to detect manufacturing defects", while Moore's fig 6 shows applicability in general to "printed circuit board" defect inspection, this form of "inspection" is not **explicitly** taught. However, at pages 1 – 2, applicant notes that it is "Currently" and "typically" a prior art approach to use "x-ray" imaging, regarding "a manufactured printed circuit board".

Thus, it would also have been obvious to the person having ordinary skill in the art to extend the analytic reach of a diagnostic set-up such as Moore's, with the "x-ray" tool admitted as currently in use by applicant, with the motivation being to achieve the fig 6 results in Moore in a more systematic and complete way, beyond visual inspection as specifically called out.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The remaining prior art references made of record are generally related to applicant's topic of handling the display of help information in an interactive display setting.


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (703) 305-9789. The examiner can normally be reached on M - F from 10:00 AM to 5:00 PM.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116. All

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patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.

12. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

7 September 2004